

AMENDED IN ASSEMBLY JANUARY 7, 2002

AMENDED IN ASSEMBLY APRIL 30, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 803

Introduced by Assembly Member Maddox

February 22, 2001

An act to ~~amend Section 830.12~~ add Section 832.35 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 803, as amended, Maddox. Peace officers: ~~public safety officials~~ firearms.

Existing law generally specifies the status and authority of a peace officer, including whether certain peace officers may carry firearms, as specified.

This bill would, in addition, provide that peace officers performing specified duties be given the option of carrying a firearm.

~~Existing law provides that a certain category of persons designated by a local agency as a class of specified officers shall not be deemed to be peace officers, may not exercise the powers of arrest of peace officers, and shall not be authorized to carry or use firearms.~~

~~This bill would revise this provision to include in this class of officers any regular employee of a state or local agency designated by that agency as a public safety official and authorized to perform specified duties.~~

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1.—Section 830.12 of the Penal Code is amended to~~
SECTION 1. Section 832.35 is added to the Penal Code, to
read:

832.35. Notwithstanding any other provision of law, no peace
officer shall be required to perform traffic stops, serve or be
present at the serving of a warrant, conduct surveillance, or
perform interviews in connection with criminal activities, unless
that officer is given the option of carrying a firearm.

read:

~~830.12.—Notwithstanding any other provision of law, the
following persons are not peace officers, may not exercise the
powers of arrest of a peace officer, as specified in Section 836, and
shall not be authorized to carry or use firearms within the scope and
course of their employment:~~

~~(a) Persons designated by a local agency as litter control
officers, vehicle abatement officers, and solid waste specialists.
These persons may, however, be authorized by the governing
board of the particular local agency to issue citations involving
violations of laws relating to abandoned vehicles and littering.~~

~~(b) Any regular employee of a state or local agency designated
by that agency as a public safety official who is vested with
enforcement authority for health, safety, and welfare requirements
and with authority to issue criminal citations and to file formal
civil and criminal complaints. The primary duties of these persons
include enforcement of state codes and regulations.—~~